

Mieles, Janette

From: McChesney, Dennis
Sent: Monday, December 16, 2013 3:38 PM
To: Taylor, Karen
Subject: FW: Status of Revised UST Regs - DPNR
Attachments: Draft UST Regs.NBJ.MAM. 11.7.2013.doc

Latest version received Friday. They are required to promulgate by December 31, 2013 or they forfeit 25% of their FY'13 grant funds. I sent to OUST this morning and they expect to have comments tomorrow.

Dennis J. McChesney, Ph.D., MBA
Team Leader
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-----Original Message-----

From: Magdalene Morancie [mailto:Magdalene.Morancie@dpnr.vi.gov]
Sent: Friday, December 13, 2013 4:18 PM
To: McChesney, Dennis; Syed Syedali
Subject: RE: Status of Revised UST Regs - DPNR

Mr. McChesney:

The draft regulations are attached without the retroactive dates. All changes are on pages 20, 30, 39, 46, and 55-56. The changes are redlined. Please contact me with any questions.

Enjoy your weekend,
Magdalene

From: McChesney, Dennis <McChesney.Dennis@epa.gov>
Sent: Friday, December 13, 2013 11:38 AM
To: Magdalene Morancie; Syed Syedali
Cc: Halley, Margaret; Nappi, Gina
Subject: RE: Status of Revised UST Regs - DPNR

Thank you, Magdalene - I believe that we may have previously commented that for past due dates it would be acceptable to delete the data and substitute present tense e.g. "....all USTs shall...."
Do you expect to have promulgation by the deadline stated in the grant terms and conditions? If not you may suffer loss of 25% of the funds allocated to the grant.

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-----Original Message-----

From: Magdalene Morancie [mailto:Magdalene.Morancie@dpnr.vi.gov]
Sent: Friday, December 13, 2013 11:28 AM
To: Syed Syedali; McChesney, Dennis
Cc: Halley, Margaret; Nappi, Gina
Subject: RE: Status of Revised UST Regs - DPNR

Mr. McChesney:

The latest version of the draft regulations has been discussed with the AG's office. An unresolved issue concerns the sections of the regulations with compliance dates that have already passed (1998). The argument has been that the compliance dates from 1998 are in the Federal Regulations and have been enforced in the Territory from its promulgation. I submitted a summary document to the AG's office yesterday, delineating all changes in the draft regulations and providing clarification on items that required clarification to facilitate review. Feel free to contact me with any questions or concerns.

Sincerely,
M.Morancie.

From: Syed Syedali
Sent: Friday, December 13, 2013 10:13 AM
To: McChesney, Dennis; David Alvaro Simon
Cc: Halley, Margaret; Nappi, Gina; Magdalene Morancie
Subject: RE: Status of Revised UST Regs - DPNR

Hi Dennis,
David Simon has retired - the new acting Director is Magdalene Morancie. As you know, she is also the Legal Counsel and has worked on the UST regs with the AG's office.
I am forwarding your inquiry for a status update to her.

Syed A. Syedali
Program Manager, DPNR-DEP
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p: 340 773-1082 ext. 2276
f: 340 692 9794

From: McChesney, Dennis <McChesney.Dennis@epa.gov>
Sent: Friday, December 13, 2013 10:01 AM
To: David Alvaro Simon
Cc: Halley, Margaret; Nappi, Gina; Syed Syedali
Subject: Status of Revised UST Regs - DPNR

David - we have not received a status update for some time. A term and condition in DPNR's FY'13 grant states that "EPA intends to initially fund 75% of the 2013 federal fiscal fund allocations upon award of the assistance agreement, with the remaining 25% conditional on the Virgin Islands full adoption of their proposed EAct regulations by 12/30/13."

Will the regulations be promulgated by the end of December, 2013?

Thank you,

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